

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**DONALD LINDSEY and
SUSAN LINDSEY,**

Plaintiffs,

VS.

**MISSISSIPPI STATE PORT
AT GULFPORT, MISSISSIPPI
STATE PORT AUTHORITY,
MISSISSIPPI DEVELOPMENT
AUTHORITY, TURBANA
CORPORATION, CHIQUITA
FRESH NORTH AMERICA LLC,
DOLE FOOD COMPANY INC.,
CROWLEY AMERICAN
TRANSPORT INC., CROWLEY LINER
SERVICES INC., ABC CORPORATION,
XYZ COMPANY,**

Defendants.

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Case No: 1:06 CV 656-LG-RHW

ORDER OF DISMISSAL WITHOUT PREJUDICE

THIS MATTER comes before the Court on the Motion of the Plaintiffs and Defendant Turbana Corporation and upon consideration of the Motion, having been signed by counsel for the Plaintiffs and Defendant Turbana Corporation, the Court finds the Motion is well taken and should be GRANTED.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Turbana Corporation is and shall be dismissed without prejudice as a party Defendant in this action with costs taxed as paid.

SO ORDERED AND ADJUDGED this the 13TH day of February 2007.

s/ Louis Guirola, Jr.

Louis Guirola, Jr.
United States District Judge

APPROVED:

JAMES L. DAVIS, III
Attorney for Plaintiffs

ALLEN E. GRAHAM
Attorney for Turbana Corporation